

# EXHIBIT H

# UNITED STATES DISTRICT COURT

*Eastern District of California*

*Criminal Division*

THE UNITED STATES OF AMERICA

vs.

Case 3:07-cr-00764-SI Document 11-2 Filed 12/14/2007 Page 6 of 12

JOSE LUIS HERNANDEZ-RODRIGUEZ,

aka Isad Hernandez,

aka Jorge Prieto Hernandez,

aka Jose Hernandez Rodriguez,

aka Juan Hernandez,

aka Carlos Hernandez Hernandez.

## INDICTMENT

**VIOLATION(S): 8 U.S.C. §§ 1326(a) and (b)(2) - Deported Alien  
Found in the United States**

*A true bill,*

15/

*Foreman.*

Filed in open court this 29<sup>th</sup> day

of November, A.D. 2007

C. S. Schultz  
Clerk.

Bail, \$ No Bail - Previously Ordered Detained.

Dale A. 2nd

1 MCGREGOR W. SCOTT  
United States Attorney  
2 KYLE F. REARDON  
Assistant U.S. Attorney  
3 501 I Street, Suite 10-100  
Sacramento, California 95814  
4 Telephone: (916) 554-2782

**FILED**

NOV 29 2007

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY \_\_\_\_\_ DEPUTY CLERK

Case 3:07-cr-00764-SI Document 11-2 Filed 12/14/2007 Page 7 of 12

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JOSE LUIS HERNANDEZ-RODRIGUEZ,  
aka Isad Hernandez,  
15 aka Jorge Prieto Hernandez,  
aka Jose Hernandez Rodriguez,  
16 aka Juan Hernandez,  
aka Carlos Hernandez Hernandez,

17 Defendant.  
18

2:07 - CR 0535 EG

) VIOLATION: 8 U.S.C.  
) §§ 1326(a) and (b)(2) -  
) Deported Alien Found in the  
) United States

19 I N D I C T M E N T

20 The Grand Jury charges: T H A T

21 JOSE LUIS HERNANDEZ-RODRIGUEZ,  
aka Isad Hernandez,  
22 aka Jorge Prieto Hernandez,  
aka Jose Hernandez Rodriguez,  
23 aka Juan Hernandez,  
aka Carlos Hernandez Hernandez,  
24

25 defendant herein, an alien, on or about May 27, 2003, was excluded,  
26 deported and removed from the United States after being convicted of  
27 one or more crimes punishable by a term of imprisonment exceeding one  
28 year, specifically:

1 Transportation of Heroin for Sale in violation of  
2 California Health and Safety Code Section 11352(a), on or  
about May 28, 1998, in Sacramento County, California;

3 and, thereafter, on or about November 9, 2007, the defendant was  
4 found in the State and Eastern District of California, with neither  
5 the Attorney General of the United States nor the Secretary of the  
6 Department of Homeland Security having expressly consented to a  
7 reapplication by the defendant for admission into the United States,  
8 in violation of Title 8, United States Code, Sections 1326(a) and  
9 (b) (2) .

10 A TRUE BILL.

11 ~~/s/ Signature on file w/ AUSA~~

12 ~~/s/ Signature on file w/ AUSA~~  
13 FOREPERSON

14   
15 McGREGOR W. SCOTT  
16 United States Attorney

**DEFENDANT:** **JOSE LUIS HERNANDEZ-RODRIGUEZ,**  
**aka Isad Hernandez,**  
**aka Jorge Prieto Hernandez,**  
**aka Jose Hernandez Rodriguez,**  
**aka Juan Hernandez,**  
**aka Carlos Hernandez Hernandez**

**VIOLATION:** **8 U.S.C. §§ 1326(a) and (b)(2)- Deported**  
**Alien Found in the United States**

**PENALTY:** **Not more than twenty (20) years in prison,**  
**Not more than \$250,000 fine, or both,**  
**Not more than three (3) year term supervised release.**

**ASSESSMENT:** **\$100 (felony)**